IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 1ST OCTOBER 2007 / 9TH ASWINA 1929

Bail Appl..No. 5903 of 2007()

CRMP.5316/2007 of J.M.F.C., ADOOR
O.R.NO.102/06 OF ADOOR EXCISE STATION

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: PETITIONER/3RD ACCUSED

VAMADEVAN, S/O RAGHAVAN,
CHIRAMURIYIL VEEDU, POOZHIKKADU MURI,
PANDALAM VILLAGE.

BY ADV. SRI. K.SHAJ
SRI.SAJJU.S

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY ITS
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.5903 of 2007

Dated this the 1st day of October, 2007

ORDER

Application for regular bail. The petitioner is the 3rd accused. He along with accused 1 to 3 was allegedly involved in the illicit transportation of 35 litres of spirit. The petitioner allegedly supplied such spirit. Accused 1 and 2 were carrying the said spirit on a motorcycle when they were intercepted. The incident took place on 31.10.06. The petitioner was arrested long later on 21.08.07. The learned Public Prosecutor points out that there are two earlier crimes also registered against the petitioner under the Kerala Abkari Act. Investigation is not complete.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigator is given reasonable further time to complete the investigation and I am satisfied that the petitioner can now be directed to be released on bail subject to appropriate terms and conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 08.10.2007. The Investigators shall in the meantime make every endeavour to complete the investigation;

ii) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees One lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make herself available for interrogation before the Investigating Officer from the date of his release between 10 a.m and 12 noon on all Mondays and Fridays for a period of 3 months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-